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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
COLBY SHAWN PATTON,)
)
Defendant.)

No. 06-445 SI

[PROPOSED] ORDER AND STIPULATION
CONTINUING MOTION HEARING FROM
SEPTEMBER 22, 2006 TO OCTOBER 20,
2006

1. The parties appeared before the Hon. Susan Illston on July 28, 2006. On September 1, 2006, the Defendant filed a motion to suppress, and on September 6, 2006, the Defendant filed a motion to compel discovery. The hearing date on those motions is September 22, 2006 at 11:00 a.m.

2. The parties are currently discussing a negotiated disposition of this case, and need additional time to explore that possibility. In light of these negotiations, the parties hereby stipulate to continue the hearing on the motions until 11:00 a.m. on October 20, 2006, the first Friday on which both counsel for the government and counsel for the Defendant are available. Should the negotiations fail, the government will file its opposition briefs by October 13, 2006, and the Defendant will file any replies by October 17, 2006.

3. Furthermore, in order to facilitate these plea negotiations, the parties request that the Court order the Probation Office to provide counsel for the government and the Defendant a pre-plea analysis of the Defendant's criminal history only, by October 10, 2006.

4. As the Defendant's motions are still pending, time is excluded from the Speedy Trial Act calculations pursuant to 18 U.S.C. § 3161(h)(1)(F).

IT IS SO STIPULATED.

DATED: _____ /S/
TRACIE L. BROWN
Assistant United States Attorney

DATED: September 15, 2006 /S/
JOSH COHEN
Attorney for COLBY SHAWN PATTON

[PROPOSED] ORDER

Pursuant to the parties' stipulation, it is hereby ordered that:

1. The hearing currently scheduled for September 22, 2006 is continued to October 20, 2006 at 11:00 a.m. Time is excluded from the Speedy Trial Act calculations pursuant to 18 U.S.C. § 3161(h)(1)(F).

2. In order to facilitate plea negotiations, the U.S. Probation Office shall prepare an analysis of the Defendant's criminal history only, and provide a report on his criminal history to the parties by October 10, 2006.

DATED: _____

THE HON. SUSAN ILLSTON
United States District Judge